

## REMARKS

Claims 1 to 14 are pending in the application.

### **Rejection under 35 USC 103**

Claims 1-14 stand rejected under 35 U.S.C. 103 as being unpatentable over *Craig* (US 6,266,809) and *Heath* (US 6,360,366).

Examiner has kindly granted a telephonic interview after final. The interview was conducted on 1/3/2008. Present at the interview were: the examiner, Mr. Mark P. Francis; the inventor, Mr. Rüdiger Thies; and the undersigned.

Mr. Theis presented a discussion of the problems in connection with updating the program residing on a program-controlled device in connection with the so-called "sandbox effect", i.e., security features incorporated in program code used for updating that prevent communication aside from the permissible Web browser / Web server interaction. The inventive solution resides in routing the update information through the program-controlled device onto an external Web browser (one that is on a separate device and not on the program-controlled device) in order to enable the update being installed from Web browser cache to the program-controlled device.

The undersigned addressed the issue that *Heath* is not showing routing the update through a program-controlled device - no such device is present; only a server/client environment is disclosed where the Web browser and the cache are part of the client and the update is done on the client (as evidenced in *Heath*, col. 8, lines 46ff).

Examiner agreed that no such program-controlled device was shown but pointed out that the claim language "external Web browser" alone could not define that a separate "device" was present in which the Web browser is localized as an "external" Web browser. Examiner indicated that claim language was required to clearly specify that the Web browser is on a separate device.

The claims have been amended in view of the Examiner's remarks. It is believed that the claims now clearly set forth that the Web browser is separate from the program-controlled device as it is now defined as being provided on a separate Web-accessing device.

Reference is being had to the detailed discussion of the references versus the claimed subject matter provided in the previous amendment after final submitted on

12/10/07. The "external Web browser" in view of the amended claims is to be clearly understood as being located on a device separate from the program-controlled device.

A program code that is executable in a Web browser and configured to cache update information received via a program-controlled device in the Web browser and to program the update information that has been cached in the Web browser into the program-controlled device, wherein the Web browser is provided on a Web-accessing device that is separate from the program-controlled device, is not disclosed in *Heath* as there is no configuration with a program-controlled device and external (separate) Web browser.

Reconsideration and withdrawal of the rejection of the claims 1-14 under 35 USC are respectfully requested.

### **CONCLUSION**

In view of the foregoing, it is submitted that this application is now in condition for allowance and such allowance is respectfully solicited.

Should the Examiner have any further objections or suggestions, the undersigned would appreciate a phone call or **e-mail** from the examiner to discuss appropriate amendments to place the application into condition for allowance.

Authorization is herewith given to charge any fees or any shortages in any fees required during prosecution of this application and not paid by other means to Patent and Trademark Office deposit account 50-1199.

Respectfully submitted on January 11, 2008,

/Gudrun E. Hockett/

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